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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,785	08/30/2001	Jamal Ghani	R272-001.1	1827
31955	7590	04/06/2005	EXAMINER	
CAPSTONE LAW GROUP LLP 1810 GATEWAY DRIVE SUITE 260 SAN MATEO, CA 94404			KE, PENG	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,785

Applicant(s)

GHANI, JAMAL

Examiner

Peng Ke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 12/01/04.

This action is final.

Claims 1-23 are pending in this application. Claims 1, 10, and 19 are independent claims. In the Amendment, filed on 12/01/04, claim 10 and 19 were amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 10, 11, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Brookman (WO 01/067357).

As per 1 claim, Brookman teaches an online interactive system for facilitating collaboration between a presenter and a plurality of participants (page 4, lines 1-10), comprising:

- a presenter graphical user interface comprising:
- a comment text box within which presenter generated comments are displayed;
- a question text box within which participant generated questions are displayed (page 15, lines 18-30);

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an answer text box within which presenter generated answers responsive to the participant generated questions are displayed (page 15, lines 28-33);

an audience text box within which a list identifying each of the plurality of participants is displayed (page 15, lines 18-30);

means for authorizing a selected participant to pose a question (page 16, lines 20-30; Examiner considers a password for user to login to be a component of authentication);

means for posting the presenter generated comments for display in the comments text box (page 15, lines 28-33);

means for posting the presenter generated answers for display in the answer text box (fig. 6, item 602);

means for entering text to be transmitted to the plurality of participants and to be displayed on the participant graphical user interface (page 16, line 1-10);

a plurality of participant graphical user interfaces each comprising:

means for requesting authorization to pose a question (page 6, col. 27-30); and

means for generating a question to the presenter when authorized (fig. 15, items 1500, 1502, 1506);

a comment text box within which presenter generated comments are displayed (page 15, lines 28-33);

a question text box within which the participant generated questions are displayed (page 15, lines 28-33);

an answer text box within which the presenter generated answers responsive to the participant generated questions are displayed (page 15, lines 28-33); and

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a system server for facilitating communication between the presenter graphical user interface and the plurality of participant graphical user interfaces (page 4, line 20-30).

As per claim 3, Brookman teaches the online interactive system recited in claim 1, wherein the presenter graphical user interface further comprising:

means for polling the plurality of recipients (fig. 4, item 402-412).

As per claim 4, Brookman teaches the online interactive system recited in claim 1, wherein the presenter graphical user interface further comprising:

means for breaking the plurality of participants into sub-groups (page 29, lines 8-25).

As per claim 10, it is rejected with the same rationale as claim 1 (see rejection above).

As per claim 11, which is dependent on claim 10, it is of the same scope as claim 3 (see rejection above)

As per claim 13, which is dependent on claim 10, it is of the same scope as claim 4. (see rejection above)

Claims 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Dunlap et al. (US 6,560,637).

As per claim 19, Dunlap et al. teaches an online interactive system for facilitating collaboration between a presenter and a plurality of participants, comprising:

a system server for facilitating communication between the presenter and the plurality of participants (col. 3, lines 21-34) comprising:

means for converting an application specific format file to a universal image format file (col. 7, lines 32-55); and

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means for transmitting the converted image file to the presenter graphical user interface and the plurality of participant graphical user interfaces (col. 4, lines 16-35);

a presenter graphical user interface comprising:

a presenter presentation window for displaying the converted image file (col. 7, lines 32-55); and

means for controlling the presentation of the converted image file (fig. 7, items 716 and 714); and

a plurality of participant graphical user interfaces comprising:

a participant presentation window for displaying the converted image file (col. 7, lines 32-55);

wherein the system server causes the means for controlling on the presenter graphical user interface to control the converted image file displayed on the participant presentation window (fig. 7, items 716 and 714).

As per claim 20, Dunlap et al. teaches the online interactive system recited in claim 19, wherein the presenter graphical user interface further comprising:

means for annotating the converted image file as displayed on the participant presentation window (col. 7, lines 32-55).

As per claim 21, Dunlap et al. teaches the online interactive system recited in claim 19, wherein the application specific format file is a PowerPoint file (col. 4, lines 1-15).

As per claim 22, Dunlap et al. teaches the online interactive system recited in claim 19, wherein the universal image format file is a JPEG file (col. 7, lines 32-55).

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As per claim 23, Dunlap et al. teaches the online interactive system recited in claim 19, further comprising:

means for allowing the presenter to grant one of the plurality of participants control of the presentation of the converted file (col. 5, lines 45-68, col. 6, lines 1-36).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-9, and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brookman (WO 01/067357) in view of Dunlap et al. (US 6,560,637).

As per claim 5, Brookman teaches the online interactive system recited in claim 1. However he fails to teach the system server further comprising:

means for converting an application specific format file to a universal image format file;
and

means for transmitting the converted image file to the presenter graphical user interface and the plurality of participant graphical user interfaces;

the presenter graphical user interface further comprising:

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a presenter presentation window for displaying the converted image file; and

means for controlling the presentation of the converted image file; and

the plurality of participant graphical user interfaces each further comprising:

a participant presentation window for displaying the converted image file.

Dunlap teaches a system server further comprising:

means for converting an application specific format file to a universal image format file

(col. 7, lines 32-55); and

means for transmitting the converted image file to the presenter graphical user interface

and the plurality of participant graphical user interfaces (col. 6, lines 1-15);

the presenter graphical user interface further comprising:

a presenter presentation window for displaying the converted image file (col. 6, lines 1-15); and

means for controlling the presentation of the converted image file (col. 6, lines 1-15); and

the plurality of participant graphical user interfaces each further comprising:

a participant presentation window for displaying the converted image file (col. 7, lines 32-55).

It would have been obvious to an artisan at the time of the invention to include Dunlap's teaching with Brookman's system in order to allowing the users to view the file without installing the required application.

As per claim 6, Brookman and Dunlap teach the online interactive system recited in claim 5. Dunlap further teaches wherein the presenter graphical user interface further

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comprising: means for annotating the converted image file as displayed on the participant presentation window (col. 7, lines 32-46).

As per claim 7, Brookman and Dunlap teach the online interactive system recited in claim 5. Dunlap further teaches wherein the application specific format file is a PowerPoint file (col. 4, lines 1-15).

As per claim 8, Brookman and Dunlap teach the online interactive system recited in claim 5. Dunlap further teaches wherein the universal image format file is a JPEG file (col. 7, lines 32-46).

As per claim 9, Brookman and Dunlap teach the online interactive system recited in claim 5.

Dunlap further teaches comprising: means for allowing the presenter to grant one of the plurality of participants control of the presentation of the converted file (fig. 7, items 716, 714).

As per claim 14, Brookman teaches the graphical user interface recited in claim 10. However, Brookman further teaches comprising:

a presenter presentation window for displaying a slide show presentation ; and
means for controlling the display of the slide show presentation on a participant presentation window located on participant computers.

Dunlap teaches a graphical user interface presenter presentation window for displaying a slide show presentation (col. 5, lines 45-65); and

means for controlling the display of the slide show presentation on a participant presentation window located on participant computers (col. 5, lines 45-68).

It would have been obvious to an artisan at the time of the invention to include Dunlap's teaching with Brookman's system in order to allowing the users to view the file without installing the required application.

As per claim 15, Brookman and Dunlap teach the graphical user interface recited in claim 14. Dunlap further teaches a graphical user interface comprising:

means for annotating the slide show presentation as displayed on the participant presentation window (fig. 7, item 704).

As per claim 16, Brookman and Dunlap teach the graphical user interface recited in claim 14. Dunlap further teaches the interface comprising:

means on the participant presentation window for requesting control of the slide show presentation (col. 5, lines 45-68); and

means on the presenter presentation window for authorizing control of the slide show presentation to a participant requesting control (col. 6, lines 50-58).

As per claim 17, Brookman and Dunlap teach the graphical user interface recited in claim 14. Dunlap further teaches the interface wherein the slide show presentation is a PowerPoint file converted to a JPEG file format (col. 7, lines 32-55).

As per claim 18, Brookman and Dunlap teach the graphical user interface recited in claim 14. Dunlap further teaches the interface comprising: means for allowing the presenter to grant one of the plurality of participants control of the slide show presentation (col. 6, lines 1-15).

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Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brookman (WO 01/067357) in view of Wong et al. (US 6,708,172).

As per 2 claim, Brookman teaches the online interactive system recited in claim 1. However, he fails to teach wherein the presenter graphical user interface further comprising:

- a whisper text box within which presenter and participant private messages are displayed;
- and
- means for selecting a participant from the audience text box for private communication of the private messages displayed in the whisper text box; and
- the plurality of participant graphical user interfaces each further comprising:
- a whisper text box within which presenter and participant private messages are displayed.

Wong et al. further teaches a graphical user interface further comprising:

- a whisper text box within which presenter and participant private messages are displayed (col. 26, lines 45-50); and
- means for selecting a participant from the audience text box for private communication of the private messages displayed in the whisper text box (col. 21, lines 13-62); and
- the plurality of participant graphical user interfaces each further comprising:.
- a whisper text box within which presenter and participant private messages are displayed (fig 9a, "great to see you!").

It would have been obvious to an artisan at the time of the invention to include Wong et al.'s teaching with Brookman's system in order to allow the user to privately chat with another user or users.

As per claim 12, which is dependent on claim 10, it is of the same scope as claim 2. (see rejection above)

Response to Argument

Applicant's arguments filed on 12/01/04 have been fully considered but they are not persuasive.

Applicant's arguments focused on the following:

1) Applicant argues that there is no collaboration in Brookman's reference?

1) In response to applicant's arguments, the recitation "collaboration" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Furthermore, examiner interprets a polling system to be a system that requires collaboration because it requires interaction between at least two people. (page 2, lines 14-27)

2) Applicant argues that Brookman does not teach two graphical user interfaces and there is no posting of participant's answers.

2) Examiner disagrees. The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the

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specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, Brookman teaches two graphical user interfaces because he teaches one interface that the presenter uses to set up the question (figure. 17) and another one that the participant uses to answer the question (figure. 22). Furthermore, these two interfaces are distinguishable from each other. Participant's answers are posted on web. (figure 29b)

3) Applicant argues that Brookman fails to teach allowing presenter to authorize user participation.

3) Examiner disagrees. Brookman allows presenters to authorize user participation by letting presenters choose their target audience (paragraph 23, lines 17-30)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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